

From: J Tom
To: Microsoft ATR
Date: 1/22/02 2:02am
Subject: Microsoft Settlement

To:
Antitrust Division, U.S. Department of Justice
601 D Street NW, Suite 1200
Washington, DC 20530-0001

Judge,

I am writing this in response to the request made to the public to comment on the proposed settlement of the Microsoft antitrust case. I run a software business four blocks south of the now destroyed World Trade Center. We are a software consulting firm providing our services to various firms in the medical, educational and financial sectors. Having worked for more than 15 years with both Microsoft as well as non-Microsoft products, I see that there are two fundamental differences between Microsoft products versus non-Microsoft products:

1: Microsoft suite of products (front, middle and back-tier) helps both us as well as our clients preserve our respective intellectual property rights by providing the necessary infrastructure/culture for clear, verifiable and affordable technical handshakes. In contrast, the culture surrounding the non-Microsoft products deliberately encourage property theft; witness the Napster business model (wherein the artists are short-changed), as well as the Open Source Software movement (wherein the programming community is short-changed). And all of this is being actively pursued allegedly for the furtherment of some Marxist ideal where private property is one day, effectively abolished. As our nation makes greater and greater commitments to the knowledge economy, it is incumbent on the judicial arm of the government to do everything it can to preserve and protect intellectual private property. Instead what I witness as the essence of the anti-trust case against Microsoft is an incredible perversion of Justice where the one company that is doing everything it can to help preserve private property is being vilified and tortured to death by a thousand regulatory cuts at the instigation of incompetant firms that have failed to meet market needs (see point 2 below). Like Gulliver in Lilliput, Microsoft is being brought down by an envious mob eager to despoil it of its proprietary code. And the Justice Department is providing all the regulatory rope.

2: Microsoft products are fundamentally bottom-up and inductive in nature; in contrast the non-Microsoft products are predominantly top-down and deductive in nature. Induction drives our economy. The non-Microsoft firms have fundamentally failed to identify and address the inductive essence of creativity and problem-solving in the knowledge economy workplace. This is the main reason why they do poorly in the marketplace. But instead of identifying this failure and correcting and improving their product-suite,

they waste everyones resources in this bitter fight to bring down the one firm that has got it right. The bottom-line is that our clients and workers are far more productive with the Microsoft products as compared to the non-Microsoft products. The sad fact is that by bringing down Microsoft, the Justice Department will have actively participated in seriously crippling one of the greatest creative engines of our economy. And as history will one day witness, the malaise that infects our economy today has much to do with the destructive anti-trust action against Microsoft.

Even as I recall with horror the immense destruction of life and property from the terrorist strikes of September 11th, I am afraid that the scale of long-range destruction being unleashed by the Microsoft haters is far worse.

John Thomas
johnmicel@hotmail.com

MSN Photos is the easiest way to share and print your photos:
<http://photos.msn.com/support/worldwide.aspx>

CC: activism@moraldefense.com@inetgw, letters@capitalis...